

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

James Lee Stewart, et al.,

NO. C 07-04061 JW

Plaintiffs,

**ORDER FOR DEFENDANT TO SECURE
RUSTY SMITH FOR HEARING ON
OCTOBER 18, 2010**

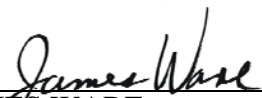
v.

Leland Stanford Junior University,

Defendant.

In light of the question surrounding the Declaration of Rusty Smith with respect to the Union's declination to prosecute this case, the Court ORDERS Defendant to secure Mr. Smith's presence at the October 18, 2010 hearing so that his sworn testimony may be taken for the record.

Dated: October 14, 2010



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Carol Capri Copsey ccopsey@gordonrees.com
3 Michael Terence Lucey mlucey@gordonrees.com
4 Steven Daniel Zavodnick szavodnick@verizon.net

5 **Dated: October 14, 2010**

Richard W. Wieking, Clerk

7 **By: /s/ JW Chambers**
8 **Elizabeth Garcia**
9 **Courtroom Deputy**